

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES S. FRAZIER, JR.,)	Civil Action No. 10-500
)	
Plaintiff,)	
)	
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
SECRETARY RAY MABUS, U.S.)	
DEPARTMENT OF THE NAVY;)	
EXECUTIVE DIRECTOR W. DEAN)	
PFEIFFER, BOARD FOR)	
CORRECTION OF NAVAL RECORDS,)	
)	
Defendants.)	<i>Filed electronically</i>

**DEFENDANTS' SUPPLEMENTAL APPENDIX OF EXHIBITS IN
SUPPORT OF RENEWED MOTION FOR SUMMARY JUDGMENT**

Defendants, Secretary Ray Mabus, U.S. Department of the Navy, Executive Director W. Dean Pfeiffer, Board for the Correction of Naval Records, by their attorneys, David J. Hickton, United States Attorney for the Western District of Pennsylvania and Jennifer R. Andrade, Assistant United States Attorney, respectfully file the within Supplemental Appendix of Exhibits in Support of Defendants' Renewed Motion for Summary Judgment.¹

EXHIBIT E Relevant Portions of MCO P1400.32D

EXHIBIT F MCO 5420.16D (in full)

EXHIBIT G SECNAVINST 5420.193 (in full)

EXHIBIT H Declaration of Major Suzanne M. Denault

¹ Exhibits contained in this Supplemental Appendix are lettered sequentially, continuing from the exhibits submitted in Defendants' Appendix in support of the original Motion to Dismiss, or in the Alternative, for Summary Judgment. See Doc. No. 28. Similarly, the bates numbering of the Supplemental Administrative Record continues sequentially from the bates numbers assigned to the original Administrative Record. See id.

Supplemental Administrative Record Vol. I	Pages 342-390
Precept Convening December 2012 ERSB	Page 342
Board Report for December 2012 ERSB	Page 346
Plaintiff's Notification Letter of ERSB Results	Page 354
Plaintiff's Official Military Personnel File Submitted to December 2012 ERSB (FY 2004 & FY 2005)	Page 355
Plaintiff's Supplemental Personnel Documents (Considered during remedial consideration for FY 2005)	Page 570
MARADMIN Announcing FY 2004 SNCO Selection Board	Page 586
Supplemental Administrative Record Vol. II	Pages 391-440
Supplemental Administrative Record Vol. III	Pages 441-490
Supplemental Administrative Record Vol. IV	Pages 491-540
Supplemental Administrative Record Vol. V	Pages 541-590
Supplemental Administrative Record Vol. VI	Pages 591-640
Change 1 to MARADMIN for FY 2004 SNCO Selection Board	Page 605
Precept Convening 2004 SNCO Selection Board	Page 611
Modification to Precept for 2004 SNCO Selection Board	Page 614
MARADMIN Announcing 2005 Reserve SNCO Selection Board	Page 623
Change 1 to MARADMIN for FY 2005 SNCO Selection Board	Page 637

Supplemental Administrative Record Vol. VII Pages 641-656

Precept Convening 2005 SNCO Selection Board Page 645

Modification to Precept for 2005 SNCO Selection Board Page 649

Respectfully submitted,

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/s/ Jennifer R. Andrade
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CERTIFICATE OF SERVICE

I hereby certify that I have served on this date, a copy of the within *Supplemental Appendix of Exhibits in Support of Defendant's Renewed Motion for Summary Judgment*, either electronically or by first-class United States mail, upon the following:

James S. Frazier, Jr.
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Pro se Plaintiff

Dated: June 24, 2013

s/ Jennifer R. Andrade
JENNIFER R. ANDRADE
Assistant U. S. Attorney